

February 5, 1973

SENATOR CARPENTER: The bill says it repeals for example 39-803 and 46-254, because of a conflict between these two sections and other sections of the state law. What is the conflict? LB 88.

SPEAKER: Senator Kremer.

SENATOR KREMER: Mr. Chairman I'll have to go back to the committee hearing minutes before I can answer, maybe, it looks like Senator Duis is raising his hand, probably able to help you.

SPEAKER: The Chair recognizes Senator Duis.

SENATOR DUIS: Mr. President, yes Senator Carpenter I can answer your question. There are two statutes on the book, one that made the responsibility of the county taking care of these and the other making responsibility of the Irrigation Canals and such as that, and they were in absolute conflict, we have an Attorney General's opinion on them, and they advised us by doing with both of them that we would put it back into shape where the county would then make a contract with the people who have the crossing of the irrigation or drainage or such district, and this agreed upon by everyone and they would be back where they would not have a court conflict.

SENATOR CARPENTER: Well do you have off hand the other sections where the statute will do what we are repealing, these two statutes now do?

SENATOR DUIS: I don't have it in here with me, but I could get it for you, if you so desire, because this was taken up at our interim study committee on bridges and these two have to be eliminated otherwise, we have two courts opinions which, an Attorney General's opinion which say they are in absolute conflict.

SENATOR CARPENTER: Thank you.

SPEAKER: Any further discussion of the bill? Senator Stull what is your pleasure?

SENATOR STULL: I would move the advancement of 83, LB 88 to E&R for engrossment.

SPEAKER: You have heard the motion to advance LB 88, is there need for discussion? All those in favor of advancing the bill please say aye, those opposed say no. So ordered the bill is advanced.

SENATOR STULL: Mr. President I move the E&R amendments to LB 90 be adopted.

SPEAKER: You've heard the motion to adopt the E&R amendments to LB 90, is there any need for discussion? All those in favor of adopting the amendments please say aye, those opposed say no. So ordered. The amendments are adopted.

CLERK: Mr. President there is another request, a unanimous consent to strike 21 and insert 19 in line 15, page 5, signed Senator Stull.

SENATOR STULL: Well Mr. President and members of the legislature, this is another place where it refers to 21 and what we are doing we're changing the bill to read 19 instead of 21 in several places and I think that this will clear up the obsolete material in the bill.

SPEAKER: You've heard the amendment, are there objections to the amendment? All in favor of the amendment please say aye, excuse me this is a unanimous consent motion, are there objections,